



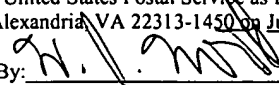
Confirmation No.: 1622  
Due Date: July 2, 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: James Kelly Fox et al. Examiner: Not yet assigned  
Serial No.: 10/034,139 Group Art Unit: 3736  
Filed: December 27, 2001 Docket: G&C 130.40-US-01  
Title: SYSTEM FOR MONITORING PHYSIOLOGICAL CHARACTERISTICS

**CERTIFICATE OF MAILING OR TRANSMISSION UNDER 37 CFR 1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 25, 2003.

By:   
Name: William J. Wood

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:


We are transmitting herewith the attached:

- ☒ Transmittal sheet, in duplicate, containing a Certificate of Mailing under 37 CFR 1.8.
- ☒ Supplemental Information Disclosure Statement and Form PTO-1449.
- ☒ Cited References.
- ☒ Copy of Partial International Search Report for International Application No. PCT/US02/40378.
- ☒ Return postcard.

Please consider this a **PETITION FOR EXTENSION OF TIME** for a sufficient number of months to enter these papers, if appropriate.

Please charge all fees to Deposit Account No. 50-0494 of Gates & Cooper LLP. A duplicate of this paper is enclosed.

**GATES & COOPER LLP**  
Howard Hughes Center  
6701 Center Drive West, Suite 1050  
Los Angeles, CA 90045  
(310) 641-8797

By:   
Name: William J. Wood  
Reg. No.: 42,236  
WJW/dr

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JUL 01 2003  
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(PTO TRANSMITTAL - GENERAL)



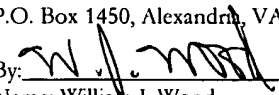
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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DR  
7/14/3

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Name: William J. Wood

SUPPLEMENTAL INFORMATION DISCLOSURE

STATEMENT(37 C.F.R. §1.97(b)/(c))

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 2213-1450

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TECHNOLOGY CENTER R3700

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner. Included are references that were recently cited in a Partial International Search Report.

This statement should be considered because it is submitted prior to a first Office Action on the merits, and also less than three months after the mailing date of a Communication from a foreign patent office in which the aforementioned items of information were cited, but before the mailing date of either a final action under 37 C.F.R. § 1.113, or a Notice of Allowance under 37 C.F.R. § 1.311. No fee is due as this statement is submitted as certified below under 37 C.F.R. §1.97(e)(1) or (2) by the undersigned.

**Certification Under 37 C.F.R. §1.97(e)**

In accordance with 37 C.F.R. §1.97(c) or §1.97(d), the undersigned hereby certifies that this statement is submitted wherein each item of information listed on the enclosed Form 1449 was first cited in a communication from a foreign patent office in a counterpart foreign application within three months of filing this statement (certification under 37 C.F.R. §1.97(e)(1)).

In accordance with 37 C.F.R. §1.98(a)(2), a copy of each document or other information listed on the enclosed Form 1449 is provided.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art". Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please direct any response or inquiry to the below-signed attorney at (310) 641-8797.

Respectfully submitted,

GATES & COOPER LLP  
Attorneys for Applicant(s)

Howard Hughes Center  
6701 Center Drive West, Suite 1050  
Los Angeles, California 90045  
(310) 641-8797

Date: June 25, 2003

By: 

William J. Wood  
Reg. No.: 42,236

WJW/dr

Form 1449\*

Docket Number: G&amp;C 130.40-US-01

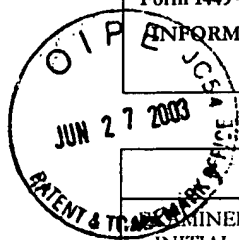
Application Number: 10/034,139

**INFORMATION DISCLOSURE STATEMENT  
IN AN APPLICATION**

Applicant: James Kelly Fox et al.

Filing Date: December 27, 2001

Group Art Unit: 3736


**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5,822,715	10/13/98	Worthington et al.			

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**FOREIGN PATENTS**

	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	EP 1 102 194	05/23/01	Europe				

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**


EXAMINER:	DATE CONSIDERED:
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	